

GOVERNMENT

SIKKIM



GAZETTE

**EXTRAORDINARY
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Gangtok

Thursday 31st March, 2016

No. 95

**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK**

No. 12/Home/2016

Dated: 17 /03/2016

NOTIFICATION

1. It is hereby ordered that the State Government departments or other State Government establishments, who have so far been provided with Legal Retainer, engaged by the Law Department, Government of Sikkim, such Legal Retainer will continue till his/her term of appointment expires. If, however, in any State Government department or State Government establishment, the term of a Legal Retainer has expired during the year 2014-15 and such State Government department or the State Government establishment does not have any other Legal Retainer, in all such cases, the Legal Retainer, who was working immediately before expiry of his/ her term, shall continue for a further period of three years w.e.f. the date of expiry of his/ her earlier term/ tenure. This arrangement shall apply only in the event of the department or the government establishment not having any other Legal Retainer. If, however, the department or the government establishment where the term of a Legal Retainer has expired but it already has other Legal Retainer, in that event, notwithstanding the expiry of the term of a Legal Retainer, the term/ tenure of such Legal Retainer, whose term has already expired, shall not stand extended.
2. No Legal Retainer shall henceforth be permitted to work for more than one department or establishment. In the event if any Retainer is engaged for more than one department or establishment, he/ she shall forthwith opt for only one department or establishment. Violation of this order would result in cancellation of order of engagement of Legal Retainer.
3. Where in a State Government department or establishment more than one Retainer is working, the concerned department or the establishment, as the case may be, may within three months from the date of issue of this notification, recommend on the basis of seniority and performance, name of a Legal Retainer for extension and on such recommendation, the said Legal Retainer alone would be eligible for extension of his/ her term and the remaining other Legal Retainers who have not been recommended would however continue till the expiry of their term but shall not be eligible for extension.
4. This is in consonance with the policy of ultimately providing one Legal Retainer per State Government department or State Government establishment.

5. It is further ordered that Law Department being the Nodal Department for engagement of Legal Retainer or extension of their term or fixation of their fees, no other department shall either appoint or engage Legal Retainer nor extend the term or enhance the fees payable to Legal Retainer and they shall be paid as per the rate indicated in the order of engagement of Legal Retainer issued by the Law Department. If any such order has been issued by any other department, the same has to be recalled by the concerned department.

By order.

Alok K. Shrivastava, IAS
Chief Secretary
Government of Sikkim
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